

Office for Foreign Affairs, 13th May, 1785

OFFICE for FOREIGN AFFAIRS, 13th MAY, 1785:

The **SECRETARY** of the **UNITED STATES** for the Department of **FOREIGN AFFAIRS**, to whom was referred a **Letter** of the 21st March last, from Richard Soderstrom, **REPORTS** as his Opinion, **THAT** no state is obliged by the laws of nations to receive or admit consuls from any foreign state; and consequently every sovereign has a right to admit them on such terms and conditions only as he may think proper.

That it is of more importance to other nations to have consuls here, than for us to have consuls abroad; because as it is their interest to prevent their subjects from carrying on here any trade which they may prohibit, so it must be their wish to check such attempts by having consuls and agents in all our ports to watch and give intelligence of all such infractions of their laws. But as our citizens may carry what they please, to where they please, we do not want consuls or agents for such purposes.

That to prevent the situation of foreign consuls in these states from becoming too far out of the reach of our laws, and effectually to shut the door against the disputes and difficulties often resulting from such exemptions and immunities, your secretary thinks it would be expedient to

RESOLVE, That (unless otherwise provided for by particular conventions) the consuls and vice consuls of the United States, now or hereafter residing in foreign countries, are to be considered as amenable to the laws of the country in which they may reside, for all offences which by them may be there committed against the said laws; and for all debts which may by them be due and payable to the subjects or inhabitants of such country, in like manner as if they were not consuls or vice-consuls. And further,

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That (unless otherwise provided for by particular conventions) the consuls of foreign kingdoms and states, now or hereafter residing in the United States or either of them, shall be considered as amenable to the laws thereof, for all offences which by them may be committed therein against the said laws; and for all debts which may by them be due and payable to the citizens thereof, in like manner as if they were not consuls or vice-consuls.

Your secretary also reports, that it would in his opinion, be left to take no further notice of the irregular recognition of Mr. Soderstrom by the governor of Massachusetts, but on his producing his commission, to recognize him in the usual forms. All which is submitted to the Wisdom of Congress. **JOHN JAY.**